

COMPLAINT 2008 – NO. 5

In Re Chopp

Determination of Jurisdiction – Dismissal

I. Nature of the Complaint

The complaint alleges that Representative Frank Chopp (Respondent), acting in his capacity as Speaker of the House of Representatives, authorized the execution of personal service contracts absent approval of the Executive Rules Committee (Committee) of the House of Representatives. The House had adopted floor resolutions at the close of legislative sessions which provided for the continuation of the work of the House after its adjournment and during the interim periods between legislative sessions. In these resolutions the House chose to establish the Committee and grant it authority over many aspects of interim activities including personal service contracts. Complainant alleges these resolutions created an obligation under the Ethics in Public Service Act (Act) to convene the Committee before the execution of personal service contracts.

II. Determination of Jurisdiction

Failure to convene the Committee to conduct business as described in the floor resolutions relative to the execution of personal service contracts does not present an issue within the jurisdiction of this Board. RCW 42.52.320 limits the jurisdiction of the Board and states in pertinent part:

Authority of legislative ethics board

- (1) The legislative ethics board shall enforce this chapter and rules adopted under it with respect to members and employees of the legislature.

III. Conclusion

After fully considering this matter, the Board concludes it lacks jurisdiction over the subject matter of this complaint which is the alleged failure of the Respondent to convene an internal committee of the House to act on personal service contracts. The complaint is hereby dismissed.

Wayne Ehlers, Chair

Date: 10/23/08